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10/827,124	04/19/2004	Young Sun Lee		2312

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EXAMINER

BLAIR, KILE O

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/827,124	Applicant(s) LEE, YOUNG SUN	
	Examiner Kile O. Blair	Art Unit 4114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/19/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

In the first paragraph of the Background of the Invention: The separate tone control should be pluralized. In addition, connected component should be pluralized where it is stated "front panel for each of the connected component." Further, the word "component's" in the sentence "Each component plug-in is situated straight behind each of the component's front panel strip" should be plural possessive (i.e. components').

In the second paragraph of the Background of the Invention: The sentences "So the user can easily identify the correct plug-ins from all direction", "So the user steps over to the receiver and turns up the bass button", and "But when watching TV news and hearing the TV anchor's human voice, big bass sound makes the voice unnatural" are incomplete.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-7 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claims are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly

and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claims must be in one sentence form only (regarding claims 1, 5 and 6). Note the format of the claims in the patent Oki et al. (US Pat. No. 4,972,489) cited. In addition, regarding claims 3 and 4, (treble and bass) is indefinite language. Further, the terms "straight forwardly" (regarding claim 5) and "the not slanted, straight up area" (regarding claim 7) are indefinite language. Claim 2 is rejected for incorporating the above errors from its respective parent claim by dependency.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over "TASCAM TEAC Professional Division M-08 Compact Mixer Owner's manual", April 19, 2003, 16 pages (hereinafter as Tascam (M-08)).

Regarding claim 1, Tascam (M-08) teaches a machine for Audio/Video Stereo Receiver with Multiple Tone Controls (mixing board, Fig. E7, pg 8) that has features of: (a) Front panel that includes a number of component strips (the rows of controls corresponding to different component to be connected, see P2, Fig. E7), in addition to the traditional functions such master volume control (see 21, Fig, E7), balance control (see 9, Fig, E7) and system on/off switch (Tascam (M-08), Fig. E8, 22) and (b) Back panel that is partly slanted. (the back panel is slanted, Fig. E16). It is noted that Tascam (M-08) discloses the claimed inventions except for the feature of the power switch being located on the front panel. It would have been obvious to one of ordinary skill in the art at the time the invention was made to locate the power switch on the front panel, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japiske, 86 USPQ 70.

Regarding claim 7, Tascam (M-08) teaches a machine for Audio/Video Stereo Receiver with Multiple Tone Controls as claimed in claim 1 wherein the not slanted, straight up area has AC power cord outlet (Tascam (M-08), Fig. E8, P3).

6. Claims 2-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over "TASCAM TEAC Professional Division M-08 Compact Mixer Owner's manual",

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April 19, 2003, 16 pages (hereinafter as Tascam (M-08)) in view of Classic Audio, <http://www.classic-audio.com/marantz/pics/2600-b.jpg>, July 17, 2002, 1 page.

Regarding claim 2, Tascam (M-08) in view of Classicaudio.com teaches a machine for Audio/Video Stereo Receiver with Multiple Tone Controls as claimed in claim 1 wherein the front panel comprises specifically of master volume control (Tascam (M-08), Fig. E7, 21), balance control (Tascam (M-08), Fig. E7, 9), system power switch (Tascam (M-08), Fig. E8, 22), AM/FM radio strip (item 1 which is the entire front panel of the MARANTZ receiver where front panel is an AM/FM radio strip. See Classic Audio, Fig. A, 1), and multiple columns of different component strips (strips 1-12 where P2 is strip 1, Tascam (M-08), Fig. E7, P2). It would have been obvious for one of ordinary skill in the art to combine the AM/FM features of the MARANTZ receiver of Classic Audio with the machine for Audio/Video Stereo Receiver with Multiple Tone Controls of Tascam (M-08). The MARANTZ receiver could have been connected (from the output, {Classic Audio} to one of the components strips of the mixing board of Tascam (M-08) for the purpose of outputting AM/FM radio audio signals to the mixing board, a configuration that is readily apparent and well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the AM/FM radio strip of Classic Audio integral to the mixing board of Tascam (M-08), since it has been held that making an old device integral without producing any new or unexpected result involves only routine skill in the art. *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

Regarding claim 3, Tascam (M-08) in view of Classicaudio.com teaches a machine for Audio/Video Stereo Receiver with Multiple Tone Controls as claimed in claim 2 wherein the AM/FM radio strip comprises of analog or digital display (Classic Audio, Fig. A, 11), tuning control (Classic Audio, Fig. A, 12), AM radio selection button (Classic Audio, Fig. A, 10), FM radio selection button (Classic Audio, Fig. A, 10), tone control buttons (treble and bass) (Classic Audio, Fig. A, 5, 6, and 7) and AM/FM radio strip on/off switch (Classic Audio, Fig. A, 2).

Regarding claim 4, Tascam (M-08) in view of Classicaudio.com teaches a machine for Audio/Video Stereo Receiver with Multiple Tone Controls as claimed in claim 2 wherein each of the multiple columns of different component strips has its own tone control buttons (treble and bass) (EQ high 3 and low4 buttons; Tascam (M-08), Fig. E7, 3 and 4) and on/off switch (mute button 10; Tascam (M-08), Fig. E7, 10).

Regarding claim 6, Tascam (M-08) in view of Classicaudio.com teaches a machine for Audio/Video Stereo Receiver with Multiple Tone Controls as claimed in claims 3 and 4 wherein on/off switch of each of the strips does not function exclusively of each other. If two (2) or more strip switches are pressed on simultaneously, sound signals from the pressed on strips are all transmitted to the receiver's main circuitry and to the loud speakers. (It is well known in the art that the mute buttons 10, when toggled to leave the component strip on (not muted), will allow more than one component to be sent to the system output. Tascam (M-08), Fig. E7, 10).

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over "TASCAM TEAC Professional Division M-08 Compact Mixer Owner's manual", April 19, 2003, 16 pages (hereinafter as Tascam (M-08)) in view of Minidisc, <http://www.minidisc.org/images/tascam-564-mid.gif>, June 6, 2002, 1 page.

Tascam (M-08) in view of Minidisc teaches a machine for Audio/Video Stereo Receiver with Multiple Tone Controls as claimed in claim 1 wherein the slanted area of the back panel has multiple columns of component connection plug-ins (slanted back panel with component input strips, Minidisc, Fig. C, 13, 14, and 15). Each component plug-in in the back panel is linked to the component strip straight forwardly located in the front panel (the component input strips 13, 14, and 15 are electrically connected to the component strips 16, 17, and 18 on front panel respectively, Minidisc, Fig. C, 13-18). It would have been obvious for one of ordinary skill in the art to combine the feature of the component input strips located on the back slanted portion of Minidisc with the device of Tascam (M-08) since it is a rearranging of parts.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Van Slooten (US Pat. No. 1,209,397) teaches a combination radio receiver and phonograph. It is noted that a phonograph is analogous to any analog or digital media player. Mukai (US Pat. No. D243,794) teaches a receiver with a radio tuner and control knobs. Oki et al. (US Pat. No. 4,972,489) teaches an

automobile audio system. Ebay teaches the features of the front interface of the Model 2600 Marantz Stereo Receiver.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kile O. Blair whose telephone number is (571) 270-3544. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe H. Cheng can be reached on (571) 272-4433. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joe H Cheng/
Supervisory Patent Examiner, Art Unit 4114

KB